

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

ELITE PHYSICIAN SERVICES, LLC,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	Case No. 1:06-cv-86
	)	
CITICORP CREDIT SERVICES, INC.,	)	Judge Mattice
(U.S.A.)	)	
	)	
<i>Defendant.</i>	)	

**ORDER**

The parties have submitted their Agreed Order Transferring Case to the United States District Court for the Southern District of New York [Court Doc. No. 3] in which they move jointly for transfer of venue under 28 U.S.C. § 1404(a). Transfer of venue under § 1404(a) requires the Court to undertake a substantive two-part analysis; mere stipulation as to transfer is insufficient. First, the movant must identify an alternate forum in which venue is proper. *See id.* Next, the movant must show that the convenience of the parties and witnesses, and the interest of justice, warrant transfer. *See id.; Moses v. Bus. Card Exp., Inc.*, 929 F.2d 1131, 1137 (6th Cir. 1991).

The parties have not provided the Court with sufficient information to perform the analysis required by § 1404(a). First, they have not demonstrated that venue would be proper, pursuant to 28 U.S.C. § 1391, in the Southern District of New York. Second, they have not provided the Court with adequate facts to permit it to conclude that the convenience of the parties and witnesses, and the interest of justice, warrant transfer.

Therefore, the parties' instant Motion is **DENIED**. The parties are invited to resubmit a motion for change of venue which addresses the substantive requirements of § 1404(a).

SO ORDERED this 12th day of July, 2006.

s/ Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE